



COURT UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COUNTY OF

BERKSHIRE SETTLEMENTS, INC. ET AL.,

Plaintiff(s)

against

ALEXANDER ASHKENAZI, AN INDIVIDUAL AND AS TRUSTEE FOR
HALPERT ALEXANDER TRUST, ET AL.,

Defendant(s)

Index No. 1:09--CV--000006 (FB)(JO)

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

SEE ATTACHED RIDER

STATE OF NEW YORK, COUNTY OF NEW YORK

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at FANWOOD, NEW JERSEY

That on 4/16/10 at 7:00 A.M., at 1426 57TH STREET, BROOKLYN, NEW YORK

deponent served the within summons, and complaint on ALEXANDER ASHKENAZI, AN INDIVIDUAL defendant therein named,
SEE ATTACHED RIDER

INDIVIDUAL

1. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON

3. ☐

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

4. ☒

by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

ATTEMPTS: 4-7-10 AT 7:00 A.M. 4-13-10 AT 8:15 A.M. UNTIL 9:45 A.M.

4-7-10 AT 7:25 P.M.

4-9-10 AT 6:45 A.M. UNTIL 8:20 A.M.

4-10-10 AT 10:00 P.M.

4-12-10 AT 9:15 A.M.

CERTIFICATE OF MAILING 4-16-10 AT 1:22 P.M.

MAILING TO
RESIDENCE
USE WITH 2 OR 45A. ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at 1426 57TH STREET, BROOKLYN, NY 11219 and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3☐

<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE BY
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

SOURCE: DEPARTMENT OF DEFENSE MAN POWER DATA CENTER (SEE ATTACHED)

MILITARY
SERVICE☒

~~I swear that the person named in the summons(es) is not in military service of New York State or of the United States. The source of my information and the grounds of my belief are the information and knowledge of the undersigned.~~ Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
4/21/10

Gabriela Galindo
Notary Public, State of New York
No. 01GA6187899
Qualified in Queens County
Commission Expires 6/02/2012

ADRIANO GINES
License No. 845419

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

Case No. 1:09-cv-000006(FB)(JO)

BERKSHIRE SETTLEMENTS INC., et al.

Plaintiff,

Against

RIDER TO AFFIDAVIT

ALEXANDER ASHKENAZI, an Individual and
as Trustee for HALPERT ALEXANDER TRUST,
et al.

Defendants.

-----X

List of Documents Served:

- CrossClaim Summons In a Civil Action
- Defendant John Hancock Life Insurance Company (U.S.A.)'s Answer to Fourth Amended Complaint, Affirmative Defenses CounterClaim and CrossClaims